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MEMORANDUM

TO: Lisa Hahn
Executive Director
Virginia Board of Physical Therapy

FROM: Erin L. Barrett
Assistant Attorney General

DATE: August 24, 2015

SUBJECT: *Regulations Governing the Practice of Physical Therapy*
18VAC112-20-10 *et seq.*

I have reviewed the amendments to the *Regulations Governing the Practice of Physical Therapy*, 18VAC112-20-10 *et seq.* The proposed amendments change requirements for direct access certification consistent with changes in the Code of Virginia following the passage of HB 1457 and SB 776. These proposed amendments are exempt in accordance with Va. Code § 2.2-4006(A)(4)(a) of the Virginia Administrative Process Act, which section provides an exemption for regulations “[n]ecessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved.” Va. Code § 2.2-4006(A)(4)(a). The Board of Physical Therapy has the statutory authority to amend these Regulations under Va. Code §§ 54.1-2400(6) and 54.1-3475. The proposed amendments are constitutional and do not conflict with existing federal or state laws or regulations.

